

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KAVON FORD,

Plaintiff,

-v-

EMPRESS AMBULANCE SERVICE LLC,

Defendant.

22 Civ. 8679 (PAE)

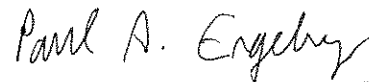
ORDER

PAUL A. ENGELMAYER, District Judge:

Plaintiff Kavon Ford invokes subject matter jurisdiction by reason of diversity of citizenship, 28 U.S.C. § 1332. Dkt. 1, ¶ 9. If Empress Ambulance Service LLC is, indeed, a limited liability company, as its name would imply, then the Complaint must allege (1) the citizenship of natural persons who are members of the limited liability company and (2) the place of incorporation and principal place of business of any corporate entities who are members of the limited liability company. By October 20, 2022, plaintiff shall amend its pleading to allege the citizenship of each constituent person or entity of the LLC. *See Handelsman v. Bedford Village Associates Ltd. Partnership*, 213 F.3d 48, 51–52 (2d Cir. 2000) (citing *Cosgrove v. Bartolotta*, 150 F.3d 729, 731 (7th Cir. 1998)); *Strother v. Harte*, 171 F. Supp. 2d 203, 205 (S.D.N.Y. 2001) (“For purposes of diversity jurisdiction, a limited liability company has the citizenship of each of its members.”). If plaintiff is unable to amend by the foregoing date to truthfully allege complete diversity based upon the citizenship of each constituent person or entity of the LLC, then the Complaint will be dismissed without prejudice for lack of subject matter jurisdiction. *See Curley v. Brignoli, Curley & Roberts Assoc.*, 915 F.2d 81, 83 (2d Cir. 1990) (“[S]ubject matter

jurisdiction is an unwaivable *sine qua non* for the exercise of federal judicial power.”).

SO ORDERED.

A handwritten signature in cursive script, reading "Paul A. Engelmayer".

Paul A. Engelmayer
United States District Judge

Dated: October 14, 2022
New York, New York